

U.S. Application No.: 09/497,292
Filing Date: 02/03/00
Inventor: Marino, M.
Docket: SARA.1090

REMARKS

In paragraph 1, the Examiner has objected to the drawings alleging that means to digitize and demodulate the received signals and the converting signals to a corresponding voltage or current must be shown or the features canceled from the claims. Applicant states that the drawings will be amended to show these functions and no new matter will be entered in doing so. However, the drawings have been delayed due to factors beyond the control of applicant and his attorney so that, as soon as they become available, they will be submitted.

The Examiner has rejected virtually all the Claims under 35 U.S.C. §103(a) as being unpatentable over Clough et al (US 4,672,674) and Chang (US 4,912,767).

Applicant has canceled all the outstanding claims and has added new claims 40-64. Applicant has added the feature of time and frequency synchronization of the first and second receiver. This is a major feature of the invention and the new claims now show it as a particular feature and as a particular step in the method.

Neither Clough et al nor Chang shows this feature. While the examiner has stated that the second receiver is time and frequency synchronized and referred to Clough et al as showing it in column 3, lines 10-25, there is absolutely no disclosure of this feature, no substitution of another feature for this feature, and no hint that synchronization of time and frequency is a factor in Clough et al.

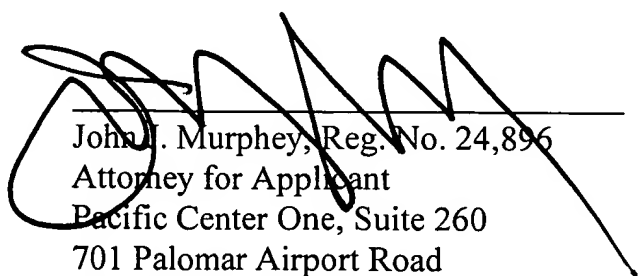
U.S. Application No.: 09/497,292
Filing Date: 02/03/00
Inventor: Marino, M.
Docket: SARA.1090

Likewise, the examiner has stated that the second receiver is time and frequency synchronized and referred to Chang as showing it in column 3, lines 10-25, there is absolutely no disclosure of this feature, no substitution of another feature for this feature, and no hint that synchronization of time and frequency is a factor in Chang. The patent law is clear that there must either be a disclosure (anticipation) of the feature or a suggestion (obviousness) of the feature to reject claims over the prior art. Here there are none. Accordingly, the added claims now distinguish over the prior art.

Applicants' counsel has addressed all issues raised by the Examiner in his FINAL Office Action. If any issues have not been adequately addressed it was purely unintentional and the Examiner is invited to telephone counsel. The application now appears to be in condition for passage to allowance and such action is earnestly solicited.

Dated: September 17, 2001

Respectfully submitted,



John J. Murphey, Reg. No. 24,896
Attorney for Applicant
Pacific Center One, Suite 260
701 Palomar Airport Road
Carlsbad, California 92009-1027
Telephone: (619) 431-0091
Facsimile: (619) 431-9441
e-mail: Jmurphey@mmiplaw.com